

# **Exhibit A**

## Perkins, Fred

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**From:** Perkins, Fred  
**Sent:** Thursday, May 29, 2025 12:18 PM  
**To:** Avram Frisch  
**Cc:** Wing K. Chiu (wkc@lawmlg.com)  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,  
Tracking ID for FedEx sent today is 881625941700.

Regards,

Fred



**Fred H. Perkins**

Partner & Co-Chair, Technology, Data & IP

D 212.735.8647

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**From:** Perkins, Fred  
**Sent:** Thursday, May 29, 2025 10:59 AM  
**To:** Avram Frisch <frisch@avifrischlaw.com>  
**Cc:** Wing K. Chiu (wkc@lawmlg.com) <wkc@lawmlg.com>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

Understand. To be clear regarding the software, the parties should have access to the respective current fully operational software with test data via password access to the software in the "cloud." Please keep us advised as to when that access will be available as well as when you're ready to exchange documents. As per the court's scheduling order, we want to proceed as expeditiously as possible with this scheduled discovery.

Regards,

Fred



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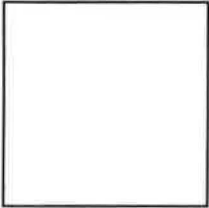
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**From:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Sent:** Thursday, May 29, 2025 10:46 AM  
**To:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>  
**Cc:** Wing K. Chiu ([wkc@lawmlg.com](mailto:wkc@lawmlg.com)) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** Re: Dumbo v. POC - discovery issues re source code, software and documents

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Should arrive tomorrow.

My client misunderstood the nature of the access you needed to the operational code, so it is not ready yet. They gave me access to read only access to the actual data, which obviously is not what we want. I am waiting for them to figure it out.

Not ready on docs yet. Moving closer on getting it, but the vendor won't release until fully paid. I expect that Turman will send you the docs from Hebronsoft today.

Avi



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**From:** Perkins, Fred <fhperkins@morrisoncohen.com>  
**Sent:** Thursday, May 29, 2025 10:43 AM  
**To:** Avram Frisch <frischa@avifrischlaw.com>  
**Cc:** Wing K. Chiu (<wkc@lawmlg.com>) <wkc@lawmlg.com>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

To confirm, three flash drives with Dumbo source code going by Fed ex to my office for Friday morning delivery and I will be sending three flash drives with source code by Fed Ex to your office for Friday morning delivery. Upon our confirmations of receipt, we can then exchange passwords tomorrow to access the respective source code.

I presume, but please confirm, you will also be ready tomorrow to exchange access to the respective current operational software with test data?

I also presume, based on prior communications, you are not yet ready to exchange documents tomorrow due to the issues with Dumbo's e-discovery vendor. Please give us an update on whether you will be ready to do so sometime next week and, if so, approximately when.

Regards,

Fred



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**From:** Avram Frisch <frischa@avifrischlaw.com>  
**Sent:** Thursday, May 29, 2025 10:15 AM  
**To:** Perkins, Fred <fhperkins@morrisoncohen.com>  
**Cc:** Wing K. Chiu (<wkc@lawmlg.com>) <wkc@lawmlg.com>  
**Subject:** Re: Dumbo v. POC - discovery issues re source code, software and documents

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Fred,

Sending the discs today via Fedex - Tracking 881622053217



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---

**From:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>

**Sent:** Tuesday, May 27, 2025 6:18 PM

**To:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>

**Cc:** Wing K. Chiu ([wkc@lawmlg.com](mailto:wkc@lawmlg.com)) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>

**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

Will the access be to Dumbo's test platform for its CURRENT operational software? Please confirm.

Any updates regarding the documents to be produced with Dumbo's discovery vendor?

Thanks for the update about Hebronsoft.

Regards,

Fred



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**From:** Avram Frisch <frischa@avifrischlaw.com>  
**Sent:** Tuesday, May 27, 2025 6:10 PM  
**To:** Perkins, Fred <fhperkins@morrisoncohen.com>  
**Cc:** Wing K. Chiu (wkc@lawmlg.com) <wkc@lawmlg.com>  
**Subject:** Re: Dumbo v. POC - discovery issues re source code, software and documents

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Client is arranging the login to their test platform for the operational software. I believe Turman is going to be sending out the Hebronsoft production soon.

Avi Frisch  
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**From:** Perkins, Fred <fhperkins@morrisoncohen.com>  
**Sent:** Tuesday, May 27, 2025 12:43:23 PM  
**To:** Avram Frisch <frischa@avifrischlaw.com>  
**Cc:** Wing K. Chiu (wkc@lawmlg.com) <wkc@lawmlg.com>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

Hope you had a nice weekend.

Aside from source code exchange, which we will be prepared to send out on Thursday for Friday delivery, any updates on the operational software exchange and document production?

Regards,

Fred



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**From:** Perkins, Fred  
**Sent:** Friday, May 23, 2025 10:48 AM  
**To:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Cc:** Wing K. Chiu ([wkc@lawmlg.com](mailto:wkc@lawmlg.com)) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Ok. Understood. Keep us updated on both software and documents. I'll email you next week when we are ready for the source code exchange.



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**From:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Sent:** Friday, May 23, 2025 10:44 AM  
**To:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>  
**Cc:** Wing K. Chiu ([wkc@lawmlg.com](mailto:wkc@lawmlg.com)) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** Re: Dumbo v. POC - discovery issues re source code, software and documents

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I will hold off on sending. Day is going nuts already. I am working on the current software, but will confirm when I know more. I do not have an update on the documents.

Avi



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**From:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>  
**Sent:** Friday, May 23, 2025 10:40 AM  
**To:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Cc:** Wing K. Chiu (<[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

You can send all three drives to my office at the address below. However, while I appreciate your offer to send the drives today, the source code exchange is scheduled to occur next Friday, May 30<sup>th</sup> as per the court's scheduling order. I will have the three flash drives in hand to send to you next week, I do not have them today. Of course, you are free to still send today by Fed Ex (for next business day delivery) the three drives to my office since without the passwords for the encrypted drives (which we agreed to exchanged once we both confirm receipt of the respective source code), we will not be able to access them

Thanks for the update on the software. Do you expect the version of the software to be current version or prior version? if not current, then when is the prior version date from?

Any update on timing of the document production?

Regards,

Fred



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**From:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Sent:** Friday, May 23, 2025 10:33 AM  
**To:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>  
**Cc:** Wing K. Chiu (<[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** Re: Dumbo v. POC - discovery issues re source code, software and documents



CAUTION: External sender. Verify before continuing.

I am working on the operational software and trying to find out if we already have a test database or will have to create it. I am hoping to fedex the disk with the code today. Am I sending all three to you Fred, or should I send one to Wing?



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**From:** Perkins, Fred <[fhperkins@morrisoncohen.com](mailto:fhperkins@morrisoncohen.com)>  
**Sent:** Friday, May 23, 2025 10:30 AM  
**To:** Avram Frisch <[frischa@avifrischlaw.com](mailto:frischa@avifrischlaw.com)>  
**Cc:** Wing K. Chiu (<[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>) <[wkc@lawmlg.com](mailto:wkc@lawmlg.com)>  
**Subject:** RE: Dumbo v. POC - discovery issues re source code, software and documents

Avi,

Any updates before the holiday weekend about production of operational software and when Dumbo will be ready for document production exchange? Please advise.

Regards,

Fred



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**From:** Perkins, Fred

**Sent:** Wednesday, May 21, 2025 1:58 PM

**To:** Avram Eliezer Frisch <frischa@avifrischlaw.com>

**Cc:** Wing K. Chiu (wkc@lawmlg.com) <wkc@lawmlg.com>

**Subject:** Dumbo v. POC - discovery issues re source code, software and documents

Avi,

This email confirms the key points we discussed and where we will be able to reach agreement during our meet and confer this morning as follows:

1. Source Code exchange – We agreed that we will each send to the other (addressed to your Hackensack office and my NYC office) three flash drives of encrypted source code via Fed Ex for delivery on the morning of Friday May 30<sup>th</sup>. We understand that the source code you will be producing for Dumbo is from sometime in July 2022. We will likewise be producing source code from July 2022. Upon our mutual confirmation of receipt of the encrypted flash drives, we will then exchange via email the passwords to access the flash drives. We will confirm next Thursday, May 29<sup>th</sup>, that the flash drives are ready to be exchanged as agreed and scheduled.
2. Exchange of Operational Software - We discussed that the parties are obligated to exchange (likely by links to software residing in the cloud) access to the respective fully operational software, which includes test data to make the software fully functional. You indicated that to provide software from July 2022 would likely take several weeks as the source code would need to be recompiled and is not practical. As an alternative, we discussed exchange of links to current operational software with test data. You said you were going to discuss this with your expert and get back to us as soon as you can (in light of the upcoming May 30<sup>th</sup> deadline) as to whether current software with test data can be provided
3. Exchange of Parties' Documents - While Defendants expect to be able to produce their respective document productions (via download link) on or about May 30<sup>th</sup>, you indicated that you will likely need more time due to the fact that Dumbo has not yet paid its e-discovery vendor for their prior services and as a result you cannot access the documents to be produced. While we understand that this is not a problem you personally created and we can certainly agree to extend the May 30<sup>th</sup> document exchange by a few days or a week if necessary, given the current schedule and the Court's directive to proceed with document production, we need -- as we mentioned -- to arrange for our mutual exchange of document production by no later than the end of the first week of June. Please get back to us as soon as possible regarding timing of this document production.
4. Hebronsoft subpoena/documents - You have confirmed again that you are not representing Hebronsoft and you have no objection to their compliance with the prior subpoena. I'll email Stephen Turman to confirm whether or not he's still representing them and if not, then I will reach out to Hebronsoft. Naturally, I'll copy you and Wing on such communications.

Thank you.

Regards,

Fred



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